

ORDINANCE NO. 232-19

BY: **DEBORAH LIME, KRISTIN L. SABAN**

AN ORDINANCE TO AMEND SUBSECTIONS (a)(2) AND (b)(2) OF SECTION 1501.36 "REGISTRATION AND INSPECTION REQUIREMENTS INCLUDING DISCLOSURE OF ALL CONTRACTORS" IN CHAPTER 1501 "ADMINISTRATION" TO INCLUDE PROPERTY MANAGEMENT COMPANIES, AND DECLARING AN EMERGENCY

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF PARMA, STATE OF OHIO:

Section 1. That subsections (a)(2) and (b)(2) of Section 1501.36 "Registration and Inspection Requirements Including Disclosure of all Contractors" in Chapter 1501 "Administration" of the Codified Ordinances of Parma, Ohio which currently read as follows:

**"1501.36 REGISTRATION AND INSPECTION REQUIREMENTS
INCLUDING DISCLOSURE OF ALL CONTRACTORS.**

(a) (1) No person, firm or corporation shall engage in the business or act in the capacity of a contractor as herein defined except pursuant to a certificate of registration issued in conformity with the provisions of this chapter by the Building Commissioner, unless such person, firm or corporation is particularly exempted by the provisions of this chapter. Notwithstanding Section 1501.99, if construction is commenced without the person, firm or corporation acting in the capacity of a contractor having first obtained the necessary certificate or certificates of registration, a penalty equal to, and in addition to the original registration fee or fees, shall be paid, and all work shall be stopped until such time as such fee or fees have been paid, and the certificate of registration issued. (Ord. 181-90. Passed 6-18-90.)

(2) As used in this chapter, "contractor" means any individual, firm, copartnership, corporation, association or other organization, or any combination of any thereof, who or which by himself or itself, or by or through others, constructs, alters, repairs, adds to, subtracts from, reconstructs or remodels any building or structure or any appurtenance thereto, or who or which undertakes or offers to undertake, or purports to have the capacity to undertake, or submits a bid to do so. The term "contractor" includes a subcontractor and also a specialty contractor whose operations as such are the performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts. The term "contractor" includes a supplier of mixed concrete to a building site, window installers and glass block companies. The term "contractor" shall also include homeowners, lessees and mortgage field services companies. A mortgage field services company provides services to a person (as defined in Section 1703.22 of the Parma Codified Ordinances) who owns real property. Such services include but are not limited to maintaining, repairing, improving and cleaning the interior and/or exterior of the person's real estate and/or dwelling including landscaping and lawn services as defined in Section 1507.17(a) of the Parma Codified Ordinances. A mortgage field services company shall further be subject to the regulations set forth in Section 1507.17(c)(2) and (3) requiring a fifty dollar (\$50.00) annual license fee and three thousand dollar (\$3,000.00) surety bond, respectively.

(b) (1) In order to register with the City, the contractor must present a document from the City Tax Department stating “there are no tax arrearages currently on record with the Tax Department. There may be tax delinquencies, but at this point in time, none are documented.” The Tax Department shall not issue this document to the contractor until all documented delinquencies are paid in full. The Tax Department shall only issue this document to the contractor and/or the contractor's designee. The Tax Department will not issue this document directly to the Building Department.

(2) The Building Department shall not be required to perform a final inspection on any project until the contractor completes a form which requests the names of all subcontractors involved in the project and all amounts paid to the subcontractors. This form shall be provided to the contractor at the time he or she receives a building permit. Notwithstanding the foregoing, a mortgage field services company shall submit the name(s) of all subcontractors at the time it registers and, if necessary, updates the subcontractors list quarterly.”

are hereby amended to read:

**“1501.36 REGISTRATION AND INSPECTION REQUIREMENTS
INCLUDING DISCLOSURE OF ALL CONTRACTORS.**

(a) (1) No person, firm or corporation shall engage in the business or act in the capacity of a contractor as herein defined except pursuant to a certificate of registration issued in conformity with the provisions of this chapter by the Building Commissioner, unless such person, firm or corporation is particularly exempted by the provisions of this chapter. Notwithstanding Section 1501.99, if construction is commenced without the person, firm or corporation acting in the capacity of a contractor having first obtained the necessary certificate or certificates of registration, a penalty equal to, and in addition to the original registration fee or fees, shall be paid, and all work shall be stopped until such time as such fee or fees have been paid, and the certificate of registration issued.

(2) As used in this chapter, “contractor” means any individual, firm, co-partnership, corporation, association or other organization, or any combination of any thereof, who or which by himself or itself, or by or through others, constructs, alters, repairs, adds to, subtracts from, reconstructs or remodels any building or structure or any appurtenance thereto, or who or which undertakes or offers to undertake, or purports to have the capacity to undertake, or submits a bid to do so. The term “contractor” includes a subcontractor and also a specialty contractor whose operations as such are the performance of construction work requiring special skill and whose principal contracting business involves the use of specialized building trades or crafts. The term “contractor” includes a supplier of mixed concrete to a building site, window installers and glass block companies. The term “contractor” shall also include homeowners, lessees and, mortgage field services companies **AND PROPERTY MANAGEMENT COMPANIES**. A mortgage field services company **AND PROPERTY MANAGEMENT COMPANY** provides services to a person (as defined in Section 1703.22 of the Parma Codified Ordinances) who owns real property. Such services include but are not limited to maintaining, repairing, improving and cleaning the interior and/or exterior of the person’s real estate and/or dwelling including landscaping and lawn services as defined in Section 1507.17(a) of the Parma Codified Ordinances. A mortgage field services company **AND PROPERTY MANAGEMENT COMPANY** shall further be subject to the regulations set forth in Section 1507.17(c)(2) and (3) requiring a fifty dollar (\$50.00) annual license fee and three thousand dollar (\$3,000.00) surety bond, respectively.

(b) (1) In order to register with the City, the contractor must present a document from the City Tax Department stating “there are no tax arrearages currently on record with the Tax Department. There may be tax delinquencies, but at this point in time, none are documented.” The Tax Department shall not issue this document to the contractor until all documented delinquencies are paid in full. The Tax Department shall only issue this document to the contractor and/or the contractor's designee. The Tax Department will not issue this document directly to the Building Department.

(2) The Building Department shall not be required to perform a final inspection on any project until the contractor completes a form which requests the names of all subcontractors involved in the project and all amounts paid to the subcontractors. This form shall be provided to the contractor at the time he or she receives a building permit. Notwithstanding the foregoing, a mortgage field services company **AND PROPERTY MANAGEMENT COMPANY** shall submit the name(s) of all subcontractors at the time it registers and, if necessary, updates the subcontractors list quarterly.”

Section 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of the Council and any of its committees that resulted in such formal action were in meetings open to the public in compliance with all the legal requirements.

Section 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City of Parma, and for the further reason that this measure is necessary in order to amend the code as soon as possible, and this Ordinance shall become immediately effective upon receiving the affirmative vote of two-thirds of all members elected to Council and approval of the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: _____
PRESIDENT OF COUNCIL

ATTEST: _____ APPROVED: _____

FILED WITH
THE MAYOR: _____
MAYOR, CITY OF PARMA, OHIO